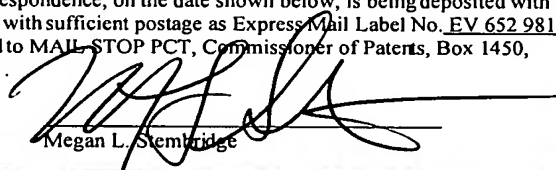


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-----------------------|-----------------------|-------------------|----------------|
| In re application of: | Judy Lieberman et al. | Confirmation No.: | 9795 |
| Application No.: | 10/577,814 | Group No.: | To be assigned |
| Filed: | April 28, 2006 | Examiner: | To be assigned |
| | | Customer No.: | 50828 |

For: METHODS FOR TREATING AND PREVENTING ISCHEMIA-REPERFUSION INJURY USING RNA INTERFERING AGENTS

| CERTIFICATE OF EXPRESS MAILING UNDER (37 C.F.R. § 1.10(c)) | |
|---|---|
| I hereby certify that this correspondence, on the date shown below, is being deposited with the United States Postal Service with sufficient postage as Express Mail Label No. <u>EV 652 981 234</u> <u>US</u> in an envelope addressed to MAIL STOP PCT, Commissioner of Patents, Box 1450, Alexandria, VA 22313-1450. | |
| Date: May <u>3</u> , 2007 |  Megan L. Stembridge |

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST AND FEE TO CORRECT INVENTORSHIP IN NON-PROVISIONAL
APPLICATION UNDER 37 C.F.R. 1.48 (A)

Dear Sir,

Pursuant to 37 C.F.R. § 1.48(a), applicants hereby request that the inventorship of the above identified application, which is a 371 National Stage Entry of PCT/US04/36200, be corrected to add Erwei Song of Guang Dong, China, as a co-inventor of the above identified application. At the time of the PCT filing of the application, Erwei Song was erroneously omitted as a co-inventor. As set forth in the attached Statement of Erwei Song, such error arose without deceptive intent.

This request is additionally accompanied by a combined declaration from inventors: Judy Lieberman, Péter Hamar, and Erwei Song, and a written consent of the assignee (The CBR Institute for Biomedical Research, Inc.) to the correction of inventorship and a supplemental Application Data Sheet which has Erwei Song as a co-inventor.

In re application of: Judy Lieberman et al.
Application No.: 10/577,814
Filed: April 28, 2006

Confirmation No.: 9795
Group No.: To be assigned
Examiner: To be assigned
Customer No.: 50828

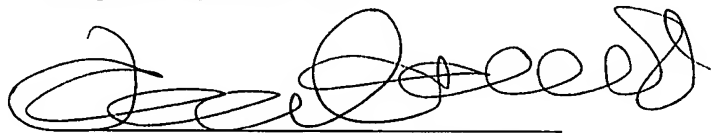
For: METHODS FOR TREATING AND PREVENTING ISCHEMIA-REPERFUSION INJURY USING RNA INTERFERING AGENTS

Enclosed is the \$130.00 processing fee required under 37 C.F.R. 1.17(i). Additional fees may be charged to deposit account 50-0850.

If the Examiner has any questions with this communication, the Examiner is invited to telephone the undersigned at (617) 345-1367.

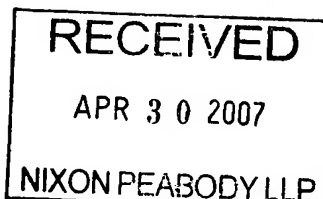
Date: May 3, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David S. Resnick', written over a horizontal line.

David S. Resnick (Reg. No. 34,235)
Leena H. Karttunen (L0207)
NIXON PEABODY LLP
100 Summer Street
Boston, MA 02131
Telephone: (617) 345-6057/1367
Facsimile: (617) 345-1300

Practitioner's Docket No. 033393-055222-US



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Judy Lieberman et al.
Application No.: 10/577,814
Filed: April 28, 2006

Confirmation No.: 9795
Group No.: To be assigned
Examiner: To be assigned
Customer No.: 50828

For: METHODS FOR TREATING AND PREVENTING ISCHEMIA-REPERFUSION INJURY
USING RNA INTERFERING AGENTS

STATEMENT OF FACTS UNDER 37 C.F.R. §1.48(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Erwei Song, one of the joint inventors of the above-identified patent application and its parent application PCT/US04/36200, declare and say:

The error in inventorship in the above-identified patent application and its parent application PCT/US04/36200, namely, the omission of myself as being a named inventor, occurred without deceptive intention on my part.

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

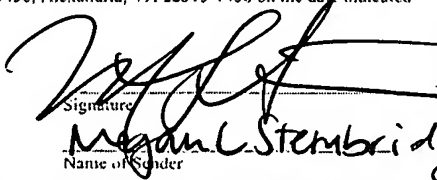
Date: Apr 27, 2007

Erwei Song
Erwei Song

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-----------------------|-----------------------|-------------------|----------------|
| In re application of: | Judy Lieberman et al. | Confirmation No.: | 9795 |
| Application No.: | 10/577,814 | Group No.: | To be assigned |
| Filed: | April 28, 2006 | Examiner: | To be assigned |
| | | Customer No.: | 50828 |

For: METHODS FOR TREATING AND PREVENTING ISCHEMIA-REPERFUSION INJURY USING RNA INTERFERING AGENTS

| CERTIFICATE OF MAILING 37 C.F.R. 1.8 | |
|--|--|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to : MAIL STOP PCT Commissioner of Patents, Box 1450, Alexandria, VA 22313-1450 on the date indicated below. | |
| Date: | <u>5/3/07</u> |
| Signature: |  |
| Name of Sender: | Megan L. Stenbridge |

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

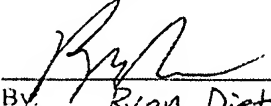
CONSENT OF ASSIGNEE UNDER 37 C.F.R. § 1.48(a)

Dear Sir / Madam,

The undersigned, Assignee of the entire interest in the above-identified patent application, hereby consents to the amendment of the application to add Erwei Song as a co-inventor.

Date: 4/11/07

The CBR Institute for Biomedical Research, Inc.

By: 
Title: Ryan Dietz
Office of Technology Development

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed at 201) below or an original, first and joint inventor (if plural names are listed at 201-208 below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHODS FOR TREATING AND PREVENTING ISCHEMIA=REPERFUSION INJURY
USING RNA INTERFERING AGENTS**

which is described and claimed in:

1. ☐ the specification attached hereto.
2. ☒ the specification in U.S. Application Serial Number 10/577,814, filed on April 28, 2006;
3. ☒ I have reviewed the preliminary amendment filed concurrently with the specification which is part of the application as filed;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a). I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

| Prior Foreign/PCT Applications and Any Priority Claims Under 35 U.S.C. §119: | | | |
|--|-------------|---------|--|
| Application No. | Filing Date | Country | Priority Claimed under 35 U.S.C. §119? |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

| Prior U.S. Applications or PCT International Applications Designating the U.S.-Benefit under 35 U.S.C. §120 | | | | | |
|--|------------------|-----------------------------|--------------------|-----------|--|
| U.S. Applications | | | Status (Check One) | | |
| Application Serial No. | U.S. Filing Date | Patented | Pending | Abandoned | |
| | | | | | |
| | | | | | |
| | | | | | |
| PCT Applications Designating the U.S. | | | | | |
| Application No. | Filing Date | U.S. Serial No. Assigned | | | |
| PCT/US2004/036200 | 11/01/2004 | | | | |
| | | | | | |
| | | | | | |

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. §119(e))**

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

| Applicant | Provisional Application Number | Filing Date |
|------------------|--------------------------------|-------------|
| Lieberman et al. | 60/516,172 | 10/30/2003 |
| | | |
| | | |

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) with full powers of association, substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Ronald I. Eisenstein (Reg. No. 30,628) David S. Resnick (Reg. No. 34,235) Michael L. Goldman (Reg. No. 30,727)
Leena Karttunen (37 CFR Sec. 10.9(b)) Gunnar G. Leinberg (Reg. No. 35,584)
Edwin V. Merkel (Reg. No. 40,087) Joseph Noto (Reg. No. 32,163)

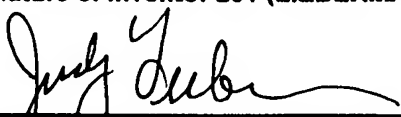
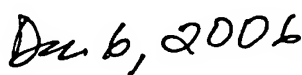
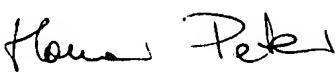


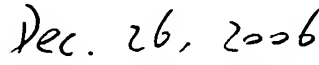
| | |
|--|---|
| SEND CORRESPONDENCE TO: David S. Resnick NIXON PEABODY LLP 100 Summer Street Boston, Massachusetts 02110-2131 | DIRECT TELEPHONE CALLS TO: David S. Resnick (617) 345-6057 |
|--|---|

| | | | | |
|-----|-------------------------|--|---------------------------------------|--|
| 201 | FULL NAME OF INVENTOR | LAST NAME LIEBERMAN | FIRST NAME JUDY | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY Brookline | STATE OR FOREIGN COUNTRY MA | COUNTRY OF CITIZENSHIP US |
| | POST OFFICE ADDRESS | POST OFFICE ADDRESS 63 Buckminster | CITY Brookline | STATE OR COUNTRY AND ZIP CODE MA 02445 |

| | | | | |
|-----|-------------------------|---|---------------------------------------|--|
| 202 | FULL NAME OF INVENTOR | LAST NAME HAMAR | FIRST NAME PÉTER | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY Budapest | STATE OR FOREIGN COUNTRY HU | COUNTRY OF CITIZENSHIP HU |
| | POST OFFICE ADDRESS | POST OFFICE ADDRESS Szalmás Píroska u 2/b | CITY Budapest | STATE OR COUNTRY AND ZIP CODE H-1068 |

| | | | | |
|-----|-------------------------|--|---|---|
| 203 | FULL NAME OF INVENTOR | LAST NAME SONG | FIRST NAME ERWEI | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY GUANGZHOU | STATE OR FOREIGN COUNTRY GUANG DONG | COUNTRY OF CITIZENSHIP P. R. CHINA |
| | POST OFFICE ADDRESS | POST OFFICE ADDRESS 107 YANJIANG WEST RD. SUN-YAT-SEN UNIVERSITY | CITY GUANGZHOU | STATE OR COUNTRY AND ZIP CODE GD 510120 |

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | |
|--|--|
| Signature of Inventor 201 (LIEBERMAN)  | Date:  |
| Signature of Inventor 202 (HAMAR)  | Date:  |
| Signature of Inventor 203 (SONG)  | Date:  |

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| | | | |
|--|---|-------------------------------|---------------|
| Application Data Sheet 37 CFR 1.76 | | Attorney Docket Number | 033393-055222 |
| | | Application Number | 10/577,814 |
| Title of Invention | METHOD OF TREATING AND PREVENTING ISCHEMIA-REPERFUSION INJURY USING RNA INTERFERING AGENT | | |
| <p>The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.</p> | | | |

Secrecy Order 37 CFR 5.2

☐ Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Applicant Information:

| | | | | |
|---|------------------------|--|--------------------|---|
| Applicant 1 | | | | |
| Applicant Authority <input checked="" type="radio"/> Inventor | | <input type="radio"/> Legal Representative under 35 U.S.C. 117 | | <input type="radio"/> Party of Interest under 35 U.S.C. 118 |
| Prefix | Given Name | Middle Name | Family Name | Suffix |
| | Judy | | Lieberman | |
| Residence Information (Select One) <input checked="" type="radio"/> US Residency <input type="radio"/> Non US Residency <input type="radio"/> Active US Military Service | | | | |
| City | Brookline | State/Province | MA | Country of Residence i US |
| Citizenship under 37 CFR 1.41(b) i | | US | | |
| Mailing Address of Applicant: | | | | |
| Address 1 | 63 Buckminster Road | | | |
| Address 2 | | | | |
| City | Brookline | State/Province | MA | |
| Postal Code | 02445 | Countryi | US | |
| Applicant 2 | | | | |
| Applicant Authority <input checked="" type="radio"/> Inventor | | <input type="radio"/> Legal Representative under 35 U.S.C. 117 | | <input type="radio"/> Party of Interest under 35 U.S.C. 118 |
| Prefix | Given Name | Middle Name | Family Name | Suffix |
| | Péter | | Hamar | |
| Residence Information (Select One) <input type="radio"/> US Residency <input checked="" type="radio"/> Non US Residency <input type="radio"/> Active US Military Service | | | | |
| City | Budapest | Country Of Residence i | HU | |
| Citizenship under 37 CFR 1.41(b) i | | HU | | |
| Mailing Address of Applicant: | | | | |
| Address 1 | Szalmás Pirooska u 2/b | | | |
| Address 2 | | | | |
| City | Budapest | State/Province | | |
| Postal Code | H-1068 | Countryi | HU | |
| Applicant 3 | | | | |
| Applicant Authority <input checked="" type="radio"/> Inventor | | <input type="radio"/> Legal Representative under 35 U.S.C. 117 | | <input type="radio"/> Party of Interest under 35 U.S.C. 118 |
| Prefix | Given Name | Middle Name | Family Name | Suffix |
| | Erwei | | Song | |
| Residence Information (Select One) <input type="radio"/> US Residency <input checked="" type="radio"/> Non US Residency <input type="radio"/> Active US Military Service | | | | |
| City | Guang Dong | Country Of Residence i | CN | |

| | | | | |
|--|---|------------------------|---------------|--|
| Application Data Sheet 37 CFR 1.76 | | Attorney Docket Number | 033393-055222 | |
| | | Application Number | 10/577,814 | |
| Title of Invention | METHOD OF TREATING AND PREVENTING ISCHEMIA-REPERFUSION INJURY USING RNA INTERFERING AGENT | | | |
| Citizenship under 37 CFR 1.41(b) i | | CN | | |
| Mailing Address of Applicant: | | | | |
| Address 1 | 107 Yanjiang West Road, Sun-Yat-Sen University | | | |
| Address 2 | Guangzhou | | | |
| City | Guang Dong | State/Province | | |
| Postal Code | GD-510120 | Countryi | CN | |
| All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button. Add | | | | |

Correspondence Information:

| | | |
|---|-------|------------------------|
| Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a). | | |
| <input type="checkbox"/> An Address is being provided for the correspondence information of this application. | | |
| Customer Number | 50828 | |
| Email Address | | Add Email Remove Email |

Application Information:

| | | | |
|---|---|---|-------------------------------------|
| Title of the Invention | METHOD OF TREATING AND PREVENTING ISCHEMIA-REPERFUSION INJURY USING RNA INTERFERING AGENT | | |
| Attorney Docket Number | 033393-055222 | Small Entity Status Claimed | <input checked="" type="checkbox"/> |
| Application Type | Nonprovisional | | |
| Subject Matter | Utility | | |
| Suggested Class (if any) | | Sub Class (if any) | |
| Suggested Technology Center (if any) | | | |
| Total Number of Drawing Sheets (if any) | 9 | Suggested Figure for Publication (if any) | |
| Publication Information: | | | |
| <input type="checkbox"/> Request Early Publication (Fee required at time of Request 37 CFR 1.219) | | | |
| <input type="checkbox"/> Request Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not been and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. | | | |

Representative Information:

| | | | |
|---|--|--|---|
| Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Enter either Customer Number or complete the Representative Name section below. If both sections are completed the Customer Number will be used for the Representative Information during processing. | | | |
| Please Select One: | <input checked="" type="radio"/> Customer Number | <input type="radio"/> US Patent Practitioner | <input type="radio"/> US Representative (37 CFR 11.9) |

| | | | |
|---|---|------------------------|---------------|
| Application Data Sheet 37 CFR 1.76 | | Attorney Docket Number | 033393-055222 |
| | | Application Number | 10/577,814 |
| Title of Invention | METHOD OF TREATING AND PREVENTING ISCHEMIA-REPERFUSION INJURY USING RNA INTERFERING AGENT | | |
| Customer Number | 50828 | | |

Domestic Priority Information:

This section allows for the applicant to claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c). Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78(a)(2) or CFR 1.78(a)(4), and need not otherwise be made part of the specification.

| | | | |
|---|------------------------|--------------------------|--------------------------|
| Prior Application Status | | Remove | |
| Application Number | Continuity Type | Prior Application Number | Filing Date (YYYY-MM-DD) |
| | a 371 of international | PCT/US2004/036200 | 2004-11-01 |
| Prior Application Status | | Remove | |
| Application Number | Continuity Type | Prior Application Number | Filing Date (YYYY-MM-DD) |
| PCT/US2004/036200 | non provisional of | 60/516172 | 2003-10-30 |
| Additional Domestic Priority Data may be generated within this form by selecting the Add button. | | | |

Foreign Priority Information:

This section allows for the applicant to claim benefit of foreign priority and to identify any prior foreign application for which priority is not claimed. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(a).

| | | | |
|--|----------------------|---------------------------------|---|
| | | | Remove |
| Application Number | Country ⁱ | Parent Filing Date (YYYY-MM-DD) | Priority Claimed |
| | | | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| Additional Foreign Priority Data may be generated within this form by selecting the Add button. | | | |

Assignee Information:

Providing this information in the application data sheet does not substitute for compliance with any requirement of part 3 of Title 37 of the CFR to have an assignment recorded in the Office.


| | | | |
|--|---|----------------|--------------|
| Assignee 1 | | | |
| If the Assignee is an Organization check here. <input checked="" type="checkbox"/> | | | |
| Organization Name | The CBR Institute for Biomedical Research, Inc. | | |
| Mailing Address Information: | | | |
| Address 1 | 800 Huntington Avenue | | |
| Address 2 | | | |
| City | Boston | State/Province | MA |
| Country ⁱ | US | Postal Code | 02115 |
| Phone Number | 617-278-3000 | Fax Number | 617-278-3493 |
| Email Address | | | |
| Additional Assignee Data may be generated within this form by selecting the Add button. | | | |

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| | | | |
|---|---|------------------------|---------------|
| Application Data Sheet 37 CFR 1.76 | | Attorney Docket Number | 033393-055222 |
| | | Application Number | 10/577,814 |
| Title of Invention | METHOD OF TREATING AND PREVENTING ISCHEMIA-REPERFUSION INJURY USING RNA INTERFERING AGENT | | |

Signature:

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.

| | | | | | |
|------------|---|-----------|---------|---------------------|------------|
| Signature |  | | | Date (YYYY-MM-DD) | 2007-01-12 |
| First Name | David S. | Last Name | Resnick | Registration Number | 34235 |

Leena H.

Karttunen

L0207

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.